UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,860	12/12/2003	Janaki Krishnaswamy	ORA012 US	1532

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/734,860	KRISHNASWAMY ET AL.
	Examiner	Art Unit
	HUNG Q. PHAM	2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 January 2008</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4,6-19 and 21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>7-19</u> is/are allowed.

6)☒ Claim(s) <u>1-4 and 6</u> is/are rejected.

7)☒ Claim(s) <u>21</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>10/03/07&01/16/08</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I in the reply filed on 01/28/08 is

acknowledged, wherein claims 2 and 3 were rewritten in dependent form.

Response to Arguments

Claim Rejections - 35 USC § 101

The rejection of claims 1 and 3-21 under 35 U.S.C. § 101 has been withdrawn in view of

the amendment.

Claim Rejections - 35 USC § 102

- Applicant's arguments with respect to the rejection of claim 1 under 35 U.S.C. §

102 have been fully considered but they are not persuasive.

As argued by applicant on page 13 of the Remarks/Arguments filed on 10/03/07:

> Specifically Bergstraesser does not teach that each *configuration* contains no
> more than one version of an object as recited in Claim 1. Instead, Bergstraesser merely
> teaches in column 15, lines 33-35 that a *workspace* is a single-version view of a subset of
> the repository database. Bergstraesser's workspace is different from the configuration of
> Claim 1, at least because Claim 1 also requires a workspace.

The examiner respectfully disagrees. Bergstraesser's workspace is not different from the

configuration of claim 1 because Bergstraesser also discloses a workstation screen on the client

monitor as the claimed *workspace*.

As illustrated by Bergstraesser in FIG. 9 (Col. 15 Lines 12-15), the system includes a

repository 250 and a plurality of workspaces 908. As disclosed by Bergstraesser, a workspace

is a wrapper for the base repository which provides a context and filter mechanism that applies

to versioned objects in the repository (FIG. 9, Col. 15 Lines 50-55). A workspace has at most

one version of an object (Col. 15 Lines 32-33). After a session S has been opened, a workspace W could be accessed in S (Col. 15 Lines 44-46). The workspaces as disclosed by Bergstraesser are considered as being equivalent to *a plurality of configurations[1]*, which are *established in a memory*, e.g., the memory of the system. Each established workspace *contains no more than one version of an object*, e.g., each workspace has at most one version of an object.

Bergstraesser further discloses that during a session, a client can user a workspace as a logical or virtual, repository session (Col. 15 Lines 49-50). The client is a remoter computer with a monitor (Col. 7 Lines 4-10 and Col. 6 Lines 61-63). The client workstation screen on the client monitor as taught by Bergstraesser is considered as being equivalent to *a workspace in another computer*. During a session, the client workstation screen is *associated with no more than one configuration in the memory*, e.g., a workspace 908 in FIG. 9.

- Applicant's arguments with respect to the rejection of claim 2 under 35 U.S.C. § 103 have been fully considered but they are not persuasive.

As argued by applicant on page 13:

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[1] *In light of the specification of the current application, a configuration is a collection of objects that are related in some way that is significant to the user (Specification, Page 3 Lines 19-20).*

> Claim 2 was rejected over the combined teachings of Bergstraesser and US Patent
> 6,460,052 granted to Thomas. This rejection is also respectfully traversed. The Examiner
> explained towards the bottom of page 7 of the Office Action that Bergstraesser does not
> disclose Claim 2's limitations. At the top of page 8, the Examiner cited to Thomas' Col 9
> lines 59-65 against Claim 2's limitation on "retrieving." However, in the Examiner-cited
> text, Thomas merely states that "the version control mechanism determines the user's
> working context" without stating explicitly, how the determination is done. Accordingly, the
> Examiner has failed to show that Thomas teaches that the configuration identity "is
> retrieved *directly* from the workspace" (emphasis added) as per Claim 2.
>
> The Examiner's citation to column 10 at lines 3-5 of Thomas is also traversed for
> failing to disclose Claim 2's limitation on presenting the response "*without exposing* any
> information related to versioning" (emphasis added).
>
> Applicants also respectfully traverse the Examiner's motivation for using Thomas
> teachings to modify Bergstraesser as being inadequate to support their combination.
> Specifically, tracking of object versions can be done in Bergstraesser's system, without
> any need to use the Examiner-cited teachings from Thomas.

The examiner respectfully disagrees.

As disclosed by Thomas, in response to a query, the version control mechanism

determines the user' working context and retrieves the information that (1) satisfies the search

criteria of the queries and (2) belong to the user's working context as in FIG. 2 (Thomas, Col. 9

Lines 60-65). The working context of a user defines a set of configurations associated with the

user'[s workspace (Thomas, Col. 5 Lines 24-25). As shown in FIG. 2, the working context 204 is

a table, wherein a configuration ID is associated with each context ID.

Thus, the retrieved information that belongs to the user's working context as in FIG. 2 as

taught by Thomas is the retrieved configuration ID directly from the workspace or working

context as taught by Thomas.

As further disclosed by Thomas, by using confirmation members table, the version

control mechanism can identify the specific objects and the specific object versions that make

up a particular configuration (Thomas, Col. 7 Lines 22-25).

The Thomas teaching indicates information related to versioning of the object, e.g.,

object versions do not make up the particular configuration, is not exposed.

The structure of contexts, configurations and object versions as illustrated by Thomas in

FIG. 2 is a must for Bergstraesser technique in order to track object versions. Using the Thomas

structure, the retrieving of objects will be faster by facilitating the structure.

- Applicant's arguments with respect to the rejection of claim 3 under 35 U.S.C. §

102 have been fully considered but they are not persuasive.

As argued by applicant on page 12:

> Claim 3 was rejected as being anticipated by US Patent 6,868,425 granted to
> Bergstraesser. This rejection is respectfully traversed. The Examiner explained towards
> the bottom of page 6 of the Office Action that Bergstraesser discloses in FIG. 9, Claim 3's
> design time configuration is formed by subsets of objects in WORKSPACE 1 and 2.
> Accordingly, it appears that the Examiner is analogizing a single "configuration" of Claim 3
> to *two* workspaces of Bergstraesser. Since each workspace of Bergstraesser can hold
> different version of a single object, it is possible for Bergstraesser's two versions of a
> single object to belong to a single configuration via Bergstraesser's *two* workspaces. This
> contradicts another limitation in Claim 3, namely that each configuration contain no more
> than one version of an object.
>
> Furthermore, the Examiner has failed to show where does Bergstraesser disclose
> associating the design time configuration with each of a plurality of persons involved in
> *designing the repository*. This is a prima facie defect in the Office Action, which should
> therefore be withdrawn. Moreover, Applicants submit that Bergstraesser fails to recognize
> any special need of designers and hence fails to address this issue entirely.

The examiner respectfully disagrees.

As taught by Bergstraesser, a workspace has at most one version of an object (Col. 15

Lines 32-33). Thus, there is no contradiction in Bergstraesser in claim 3 as argued by applicant.

As illustrated by Bergstraesser in FIG. 9, workspace 1 is considered as design time

configuration. At a particular time, an object is checked out by a user for updating and checked

in, e.g., Obj. X-V1 (Col. 15 Line 62-Col. 16 Line 5). At another time, the object is checked out by

another user for updating, e.g., Obj. X-V2 (Col. 15 Line 62-Col. 16 Line 5). Thus, the step of

associating the design time configuration with each of a plurality of persons involved in designing the repository

is an inherited feature of Bergstraesser.

In light of the foregoing arguments, the 35 U.S.C. § 102 and 103, is continued.

Duplicate Claims, Objection

Claim 1 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 7.

When two claims in an application are duplicates or else are so close in content that they both

cover the same thing, despite a slight difference in wording, it is proper after allowing one claim

to object to the other as being a substantial duplicate of the allowed claim. See MPEP

§ 706.03(k).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bergstraesser et al. [USP 6,868,425 B1].

Regarding claims 1, 4 and 6, Bergstraesser et al. teaches a method, software and

computer for *managing a repository containing multiple versions of an object*, the method, software and

computer comprising:

a storage medium (Bergstraesser et al., Col. 7 Lines 55-61) *comprising a repository containing*

multiple versions of an object (Bergstraesser et al., FIG. 9, REPOSITORY 250);

the method further comprising:

establishing a plurality of configurations, each configuration containing no more than one version of an

object (As illustrated by Bergstraesser in FIG. 9 (Col. 15 Lines 12-15), the system includes a

repository 250 and a plurality of workspaces 908. As disclosed by Bergstraesser, a workspace

is a wrapper for the base repository which provides a context and filter mechanism that applies

to versioned objects in the repository (FIG. 9, Col. 15 Lines 50-55). A workspace has at most

one version of an object (Col. 15 Lines 32-33). After a session S has been opened, a workspace

W could be accessed in S (Col. 15 Lines 44-46). The workspaces as disclosed by

Bergstraesser are considered as being equivalent to *a plurality of configurations*, which are

established in a memory, e.g., the memory of the system. Each established workspace *contains no*

more than one version of an object, e.g., each workspace has at most one version of an object); and

associating no more than one configuration with a workspace (Bergstraesser further discloses

that during a session, a client can user a workspace as a logical or virtual, repository session

(Col. 15 Lines 49-50). The client is a remoter computer with a monitor (Col. 7 Lines 4-10 and

Col. 6 Lines 61-63). The client workstation screen on the client monitor as taught by

Bergstraesser is considered as being equivalent to *a workspace in another computer*. During a

session, the client workstation screen is *associated with no more than one configuration in the memory*,

e.g., a workspace 908 in FIG. 9) *from which a query can be issued* (Bergstraesser et al., Col. 15 Line

62-Col. 16 Line 4).

Regarding claim 3, Bergstraesser et al. teaches all of the claimed subject matter as

discussed above with respect to claim 1, Bergstraesser et al. further discloses *a design time*

configuration (FIG. 9, subsets of objects of WORKSPACE 1 and 2) and *a run time configuration*

(FIG. 9, subset of objects of WORKSPAGE 3) and the steps of *associating the design time*

configuration with each of a plurality of persons involved in designing the repository (Bergstraesser et al.,

Col. 15 Lines 36-55), *associating the run time configuration with each of a plurality of software application*

programs that use the repository during live operation (Bergstraesser et al., Col. 16 Lines 5-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bergstraesser et al. [USP 6,868,425 B1] and further in view of Thomas et al. [USP 6,460,052 B1].

Regarding claim 2, Bergstraesser et al. teaches all of the claimed subject matter as discussed above with respect to claim 1, but does not teach the steps of *retrieving an identity of the configuration directly from the workspace from which the query originates*; *determining a version of each object to be included in a response to the query, based on the identity of the configuration*; and *presenting the response including the version of the object determined based on the configuration identity, without exposing any information related to versioning of the object.*

Thomas et al. teaches a method of managing repository, Thomas et al. further discloses the steps of *retrieving an identity of the configuration directly from the workspace from which the query originates* (Thomas et al., Col. 9 Lines 59-65), *determining a version of each object to be included in a response to the query, based on the identity of the configuration* (Thomas et al., Col. 10 Lines 3-5), *presenting the response including the version of the object determined based on the configuration identity, without exposing any information related to versioning of the object* (Thomas et al., Col. 10 Lines 3-5).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the technique of retrieving versions of objects as taught by Thomas et al. in order to keep track object versions.

Allowable Subject Matter

- **Claims 7-19 are allowed.**

- **Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUNG Q PHAM/
Primary Examiner
Art Unit 2168

April 4, 2008